

## REMARKS

Claims 1-22 are pending in the application. All claims presently stand rejected.

### I.

Claims 1-7, 10-14, 15-18, and 21-22 stand rejected under § 103(a) as unpatentable over Aver, Jr. et al. in view of Heggestad et al.

The Examiner characterizes Aver, Jr. and Heggestad as follows:

As per claim 1, Aver, Jr. et al. disclose an automated voice transmission method to authorize the movement of trains in non-signaled territory, automated voice transmission method comprising: generating a non-verbal movement authority for a designated train in non-signaled territory; and converting non-verbal movement authority to a verbal movement authority (33 column 4, line 30 to column 5, line 29; and column 6, lines 41-67); and communicating verbal movement authority to designated train (see the abstract). Aver, Jr. et al. do not disclose receiving a verbal movement authority on-board designated train, and communicating acceptance or rejection of verbal movement authority. However, Heggestad et al. disclose receiving verbal movement authority on-board designated train, and communicating acceptance or rejection of verbal movement authority from on-board designated train (see the abstract; column 3, line 51 to column 4, line 25; and column 5, line 27 to column 6, line 9).

At page 4 of the Office Action, the Examiner rejects claims 12 and 13 "for the same rationale as set forth as above" on the basis that these "are system claims corresponding to method claims 1-2 above."

**The independent claims, 1 and 12, each require conversion of non-verbal generated movement authorities to verbal form.**

The Examiner states that Aver "discloses an automated voice transmission method ... comprising: generating a non-verbal movement authority for a designated train in non-signaled territory; and converting non-verbal movement authority to a verbal movement authority." (Emphasis added.)

Respectfully, neither Aver (nor Heggestad) disclose or teach converting non-verbal movement authorities to verbal movement authorities. The portions of Aver and Heggestad cited

in the quote above actually describe systems that utilize digital, i.e., conventional non-verbal, transmission of movement authorities via a VHF data network and displayed on an on-board display (CRT). None of the portions cited describe or teach a verbal, voice-synthesized, movement authority system. Rather, the systems described in Aver and Heggstad are both conventional. There is no similarity between these systems and what is claimed in claims 1 and 12.

Aver, for example at column, 3 lines 37-39, and column 4, lines 50-51, describes digital (non-verbal) messages/movement authorities being transmitted by frequency shift keying (FSK) tones (and not converted to verbal, i.e., not voice-synthesized).

Likewise, Heggstad, for example in the Abstract, specifically refers to a "data radio" (i.e., digital, non-verbal messaging) in regard to the movement authorities. Additionally, for example, in column 3, lines 59-62, and column 4, lines 4-6, reference is consistently made to a "data line" and the "data radio" (both indicating digital, non-verbal messaging).

In sum, both Aver and Heggstad describe train control systems that utilize a means of generating and transmitting digital messages, not voice synthesized messages.

In contrast, claims 1 and 12 require performing voice synthesis, i.e., converting movement authorities to verbal movement authorities and transmitting them, such as via the existing railroad voice radio network. Aver and Heggstad describe train control systems that utilize a means of generating and transmitting digital messages via a data line/radio.

Therefore, claims 1 and 12, and hence claims 2-11 and 13-22 which depend therefrom, are patentable over Aver and Heggstad, either alone or in combination.

Various other dependent claims are rejected according to various reasons by the Examiner in reference to Aver. However, as explained above, Aver does not, and neither does Heggstad, disclose or teach converting non-verbal movement authorities to verbal form for transmission over a voice radio. Therefore, and because claims 1 and 12 are thus believed patentable, all of claims 2-11 and 13-22 are believed to be patentable over Aver, and Heggstad.

## **II.**

Claims 8-9 and 19-20 stand rejected under § 103(a) as unpatentable over Aver, Jr. and Heggstad as applied to claims 7 and 12 above, and further in view of Westerlage et al.

Claims 8-9 and 19-20 depend from claims 1 and 12, respectively. Thus, notwithstanding how Westerlage is characterized in regard to these particular claims, Westerlage does not teach or disclose converting non-verbal movement authorities to verbal form for transmission over a voice radio.

Therefore, and because claims 1 and 12 are thus believed patentable, claims 8-9 and 19-20, which depend therefrom, are believed to be patentable over Aver, Heggstad, and Westerlage, either individually or any combination thereof.

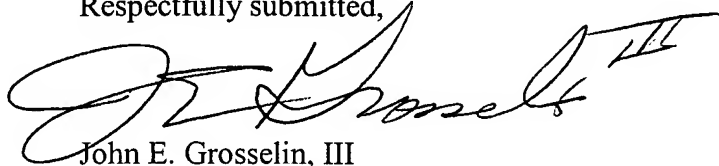
## **CONCLUSIONS**

Independent claims 1 and 12 require converting non-verbal movement authorities to verbal movement authorities and communicating such verbal movement authorities to the designated train. Aver and Heggstad describe train control systems that generate and transmit digital messages (via data line/radio) to the designated train, and do not disclose or teach voice synthesized messages. Westerlage likewise does not teach or disclose voice synthesis, i.e., converting non-verbal movement authorities to verbal movement authorities.

Therefore, claims 1 and 12, and hence claims 2-11 and 13-22 which depend therefrom, are patentable over Aver Heggstad, and Westerlage, either alone or any combination thereof.

Accordingly, reconsideration and allowance of claims 1-22 are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John E. Grosselin, III". The signature is stylized with large, flowing loops and a prominent "III" at the end.

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